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LPT-3001-DV

REMARKS

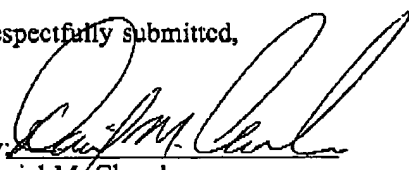
Claims 1-15 are pending and subject to an "election of species" requirement. As an initial matter, Applicant notes that the claims have been amended herein. Specifically, claim 1 has been amended to reflect Applicant's desire to pursue in this application inventive subject matter directed to methods for treating cancer. Claims 2 and 5-7 have been amended to use preferred terminology, to correct the misspelling of "sphingosine-1-phosphite" in claims 5-7, and in the case of claim 7, to change dependency. Finally, claims 3,4, and 8-15 have been canceled without prejudice to their future prosecution. These amendments are fully supported by the specification and claims as originally filed, and they do not add new matter. Further, they are being made merely to advance prosecution of a commercially relevant aspect (i.e., treatment of cancer) of Applicant's pioneering invention, not for reasons related to patentability. Regardless, Applicants expressly reserve the right to pursue in this or a related application inventive subject matter that is no longer or has not yet been claimed herein.

As for the species elections set forth in the Office action, A-D, Applicant notes that the amendments above render species elections A, B, and D moot, as claims 13-15, 2-4, and 8-12 have been cancelled. Applicant concurs that claim 1 is generic. With respect to a particular sphingolipid or sphingolipid metabolite species, Applicant elects sphingosine-1-phosphite (S-1-P). This election reads on claims 1, 2, and 5-7.

Applicant requests consideration of the claims as amended in light of this election, with the understanding that non-elected species presented in conjunction with the limitations of the generic claim will be entitled to rejoinder.

Dated: 12 June 2006

Respectfully submitted,

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